

USDC-SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>10/19/21</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
:

UNITED STATES OF AMERICA

- v. -

MOUSTAFA MOUSTAFA,

Defendant.

- - - - - x

ORDER OF FORFEITURE/
MONEY JUDGMENT

17 Cr. 679 (RA)

WHEREAS, on or about March 18, 2018, MOUSTAFA MOUSTAFA (the "defendant"), was charged in a three-count Superseding Information, S1 17 Cr. 679 (RA) (the "Information"), with conspiracy to commit health care fraud, in violation of Title 18, United States Code, Section 1349 (Count One), health care fraud, in violation of Title 18, United States Code, Section 1347 (Count Two), and obstruction of justice, in violation of Title 18, United States Code, Section 1512(c)(1) (Count Three);

WHEREAS, the Superseding Information included a forfeiture allegation as to Count One and Count Two of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(7), of any and all property, real and personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of the offense charged in Counts One and Two of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to

the commission of the offense charged in Counts One and Two of the Information that the defendant personally obtained;

WHEREAS, on or about March 18, 2018, the defendant pled guilty to all Counts of the Information, pursuant to an agreement with the Government, wherein the defendant admitted the forfeiture allegation with respect to Counts One and Two of the Information;

WHEREAS, the sum of money equal to \$547,727.83 in United States currency represents the amount of proceeds traceable to the commission of the offenses charged in Counts One and Two of the Information that the defendant personally obtained; and

WHEREAS, as a result of acts and/or omissions of the defendant, the proceeds derived from the offenses charged in Counts One and Two of the Information that the defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY ORDERED that:

1. As a result of the offenses charged in Counts One and Two of the Information, to which the defendant pled guilty, a money judgment in the amount of \$547,727.83 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offense charged in Counts One and Two of the Information that the defendant personally obtained, shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Order of Forfeiture/Money Judgment is final as to the defendant, MOUSTAFA MOUSTAFA, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the "United States Marshals Service", and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the defendant up to the uncollected amount of the Money Judgment.

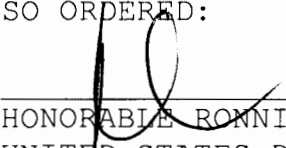
6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is

authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three certified copies of this Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

SO ORDERED:



HONORABLE RONNIE ABRAMS
UNITED STATES DISTRICT JUDGE

10-19-21
DATE